

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

EFREN CASTILLO, et al.,

Plaintiffs,

v.

No. 2:23-cv-667 WJ/KRS

ANGEL JESUS VILLALBO CORDOVA, et al.,

Defendants.

SCHEDULING ORDER

THIS MATTER comes before the Court following a telephonic Rule 16 scheduling conference held on September 27, 2023. At the hearing, the Court adopted the parties' proposed Joint Status Report and Provisional Discovery Plan, with slight modifications, as reflected in the dates below.

Accordingly, **IT IS HEREBY ORDERED** that the parties shall adhere to the following discovery plan:

- (a) Maximum of twenty-five (25) interrogatories by each party to any other party, with responses due thirty (30) days after service.
- (b) Maximum of twenty-five (25) requests for production by each party to any other party, with responses due thirty (30) days after service
- (c) Maximum of twenty-five (25) requests for admission by each party to any other party, with responses due thirty (30) days after service.
- (d) Maximum of ten (10) fact depositions by Plaintiffs, and ten (10) fact depositions by Defendants. In addition, the parties may depose their opponent's disclosed experts. Each deposition (other than those of parties or experts) limited to maximum of six (6) hours, unless

extended by agreement of the parties. Depositions of parties and experts are limited to one day of seven (7) hours, unless extended by agreement of the parties.

IT IS FURTHER ORDERED that the following case management deadlines shall govern:

- (a) Deadline for Plaintiff to amend pleadings and join additional parties pursuant to Federal Rule of Civil Procedure 15: **December 11, 2023;**
- (b) Deadline for Defendants to amend pleadings and join additional parties pursuant to Federal Rule of Civil Procedure 15: **January 11, 2024;**
- (c) Deadline for Plaintiff's expert reports: **March 27, 2024;**
- (d) Deadline for Defendants' expert reports: **April 26, 2024;**
- (e) Termination of discovery: **May 27, 2024;**
- (f) Deadline for supplementing discovery/disclosures: Due as required by the Federal Rules of Civil Procedure;
- (g) Motions relating to discovery: **June 17, 2024;**
- (h) All other motions:¹ **June 27, 2024;**
- (i) Pretrial order: To be set by the presiding judge.

IT IS FURTHER ORDERED that the Court must approve any changes to the timing or scope of discovery, other than the parties' agreement to extend the length of a deposition made during the deposition in question. Requests by a party to change the timing or scope of discovery, other than a mutual agreement to extend a deposition reached during the deposition, must be made by motion and before the termination of discovery or the expiration of any

¹ This deadline applies to motions related to the admissibility of experts or expert testimony that may require a *Daubert* hearing, but otherwise does not apply to motions *in limine*. The Court will set a motions *in limine* deadline in a separate order.

applicable deadline. Discovery must be completed on or before the termination of the discovery deadline. A written discovery request must be propounded by a date which ensures that the response to that request is due on or before the discovery deadline. The parties are further reminded that the cutoff for motions related to discovery does not relieve the party of the twenty-one (21) day time period under Local Rule 26.6 to challenge a party's objections to answering discovery. The parties are encouraged to review Federal Rule of Civil Procedure 26(a)(2) to ensure they properly disclose *all* testifying witnesses, not just those for whom a report is required.

A handwritten signature in dark ink, appearing to read "Kevin Sweazea", is written above a horizontal line.

KEVIN R. SWEAZEA
UNITED STATES MAGISTRATE JUDGE